

Notice of Allowability

Application No.

10/699,674

Examiner

Tuan C. To

Applicant(s)

AYABE ET AL.

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/31/2007.
2. ☒ The allowed claim(s) is/are 1,3,6,7,9 and 16-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Patent Examiner,

[Signature]

TUAN C TO

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Pous on 10/12/2007:

In claim 1, lines 8, 10, 12, and 15, "portion" has been deleted and replaced with "means".

In claim 3, lines 8, 10, 11, and 14, "portion" has been deleted and replaced with "means".

In claim 6, lines 2, and 3, "portion" has been deleted and replaced with "means".

In claim 16, lines 2-4, "portion" has been deleted and replaced with "means".

In claim 20, line 3, "portion" has been deleted and replaced with "means".

In claim 22, line 3, "portion" has been deleted and replaced with "means".

Examiner's Statement of Reasons for Allowance

This communication is an Examiner's reasons for allowance in response to application filed on 11/4/2003, assigned serial 10/699,674 and titled "Automatic Transmission Having Torque Converter with Lockup Clutch and Method of Controlling Same Lockup Clutch".

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

The applicant's amendment filed on 07/31/2007 has been fully considered. According to the amendment, the independent claims are now including the allowed subject matter as indicated in the previous office action.

The examiner has performed another prior art search in some areas that are relevant to the subject matter of the present application, but none of the references, neither alone nor in a combination, has been found teaches "an automatic transmission system for a vehicle comprising: a control means configured to control the hydraulic device so that the oil pressure of the lockup clutch becomes constant if the slip rotation speed calculated by the calculation means is greater than a predetermined rotation speed during a downshift of the automatic transmission, and controls the hydraulic device so that the slip rotation speed matches the predetermined slip rotation speed if the slip rotation speed calculated by the calculation means is less than the predetermined slip rotation speed during the downshift of the automatic transmission". None of the references, neither alone nor in a combination, teaches an automatic transmission system for a vehicle comprising: "a setting means that sets the slip rotation speed calculated by the calculation means as the target slip rotation speed if the slip rotation speed calculated by the calculation means is greater than a predetermined rotation speed during a downshift of the automatic transmission and sets the predetermined rotation speed as the target slip rotation speed if the slip rotation speed

calculated by the calculation means is less than the predetermined rotation speed during the downshift of the automatic transmission”

For that reasons, the application is now patentable over the cited prior art.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

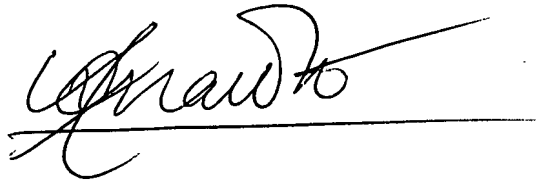
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/699,674

Page 5

Art Unit: 3663

Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

October 15, 2007

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

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Alexandria, Virginia 22313-1450

| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10699674 | 11/4/03 | AYABE ET AL. | 244846US2 |

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

Tuan C. To

ART UNIT**PAPER**

3663

20071015

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents